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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/016,566	10/30/2001	Naoki Tagami	112857-300	6359

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EXAMINER	
DETWILER, BRIAN J	

ART UNIT	PAPER NUMBER
2173	

DATE MAILED: 05/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/016,566	TAGAMI ET AL.	
	Examiner	Art Unit	
	Brian J. Detwiler	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 January 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2 and 5-13* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2 and 5-13* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 2, 6-11, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,697,840 (Godefroid et al) and U.S. Patent No. 6,750,881 (Appelman).

Referring to claims 1 and 7-9, Godefroid discloses in column 5: lines 49-62 a method for interaction within a collaborative environment or user space wherein "[u]sers may initiate a collaborative communication session, invite others to join an existing session, request to participate in an existing session, accept or decline others' requests to join a session, or leave a session." Godefroid further explains in this section that customized admission control policies may require a session initiator's consent or consent of the majority before a user can join a particular collaborative communication session. Such policies inherently require that one or more session participants be notified when the user requests to join a particular user space. Godefroid, however, fails to disclose storage means for storing at least one list of users associated with the user space wherein the list is generated by the first user and includes at least one of a second user denied admission to the user space and a second user granted admission to the user space. Godefroid also fails to disclose determining means for determining whether the second user is denied admission to the user space or granted admission to the user space based

on the list of users stored in the storage means. Appelman, however, discloses in column 2: line 47 through 3: line 63 a Buddy List system wherein one or more user lists are stored in a database structure. Appelman further discloses in column 5: lines 23-49 two types of user-designated lists for restricting communication between a first user and a second user. Said communication can comprise "Buddy Chat Invitations" or other requests to enter a virtual user space. The first type of list allows the second user to contact the first user only if the second user's name appears on a list of permitted users. The second type allows the second user to contact the first user only if the second user's name does not appear on a list of non-permitted users. The two lists are mutually exclusive and advantageously provide an extended degree of privacy to the first user. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the aforementioned teachings of Appelman with Godefroid's invention. In such a combination, users of Godefroid's invention would still be able to request to join an existing session and accept or decline others' requests to join a session as discussed above. Additionally, users already in an existing session would now have the added benefit of only being bothered by requests to join the session if the requesting user is on the list of permitted users or not on the list of non-permitted users. Finally, one would have been motivated to do this in order to increase privacy for users of Godefroid's invention as suggested by Appelman.

Referring to claim 2, Godefroid's notifying means must inherently comprise at least one of a visual and an audio notification to a first user. Without such the first user would not be able to respond to requests from a second user to participate in a collaborative communication session.

Referring to claims 6 and 13, Godefroid fails to disclose storing a list of predetermined user-designated spatial locations and placing the list in the virtual space in response to instructions from the user. Appelman, however, discloses in column 6: lines 44-51 a method of sharing a user's favorite places with other users of the system. The method comprises the steps of selecting from a list of favorite places and sending invitations for each favorite place to the desired users. The user is thus placing a list of designated spatial locations into the virtual space. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to share favorite places as taught by Appelman in combination with the teachings of Godefroid so that users with similar interests can share information that they may find to be useful or interesting as suggested by Appelman.

Referring to claims 10 and 11, Appelman, as discussed above, discloses in column 5: lines 23-49 two types of user-designated lists for restricting communication between a first user and a second user. Said communication can comprise "Buddy Chat Invitations" or other requests to enter a virtual user space. The first type of list allows the second user to contact the first user only if the second user's name appears on a list of permitted users. The second type, vice-versa, allows the second user to contact the first user only if the second user's name does not appear on a list of non-permitted users. The two lists are mutually exclusive and advantageously provide a degree of privacy to the first user.

Claims 5 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,697,840 (Godefroid et al) and U.S. Patent No. 6,750,881 (Appelman) as applied to claims 1 and 9 above, and further in view of U.S. Patent No. 6,212,548 (DeSimone et al).

Referring to claims 5 and 12, Godefroid and Appelman fail to disclose requiring certain entry information by the second user to allow the second user to gain access to a user space occupied by the first user. DeSimone, however, discloses in column 15: lines 1-12 a system and method in which access to a user space is restricted according to entry information provided by a second user. DeSimone explains in this section that passwords or other keywords may be required before a request for entry to a user space will be honored. The second user, furthermore, could only be aware of said entry information if a first user already occupying the user space distributed the information via some sort of prescreening process as disclosed in column 14: lines 62-67. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to require certain entry information distributed by the first user to the second user to allow the second user to gain access to a user space occupied by the first user as taught by DeSimone in combination with the teachings of Godefroid and Appelman. It would have been advantageous to do this because it increases the privacy of the user space as suggested by DeSimone in column 14: lines 51-54.

Response to Arguments

Applicant's arguments filed 3 January 2005 have been fully considered but they are not persuasive. Applicant first asserts that Godefroid's fails to teach or suggest that the disclosed presence awareness initiatives can be employed in a virtual space or a user space within a virtual space. The examiner respectfully disagrees. The collaborative environment in which users of Godefroid's invention can seek out other users and initiate communicative sessions is a virtual space. Within the collaborative environment, a plurality of communicative sessions can be

created amongst the many users. As explained above "[u]sers may initiate a collaborative communication session, invite others to join an existing session, request to participate in an existing session, accept or decline others' requests to join a session, or leave a session," (column 5: lines 49-62). Each session thus represents a user space within the virtual space.

Applicant further asserts that Appelman fails to teach or suggest employing its system in a virtual environment or space. Again the examiner respectfully disagrees. The examiner maintains that communicative session in which one or more users gather to communicate qualifies as a user space. The examiner further maintains that a combination of Godefroid and Appelman is proper for at least these reasons and the claimed invention is unpatentable in view of the aforementioned teachings.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J. Detwiler whose telephone number is 571-272-4049. The examiner can normally be reached on Mon-Thu 8-5:30 and alternating Fridays 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Cabeca can be reached on 571-272-4048. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

bjd

RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173